

VRP#04-09-172

City of San Antonio

Permit File # 24-09-172



Permit File: #04 - 09 - 102

## Development Services Department

## Vested Rights Permit/Consent Agreement **APPLICATION**

| Assigned by city staff  Date: 8/26/04                                                                                                                                                                                   |                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| Vested Rights Permit                                                                                                                                                                                                    |                  |
| 1. All applicable information on application must be legibly printed or typed for processing. <u>If application completed on behalf of the property owner please attach power of attorney or letter of agent.</u>       | <u>ı is</u>      |
| 2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate | Master<br>Ze. SS |
| Note: All Applications must comply with the Unified Development Code (UDC), Section 35-B124 Vested Rights Determination for the City of San Antonio.                                                                    | _<br>으<br>음      |
| (a) Owner/Agent: FERMIN PATUNDU                                                                                                                                                                                         |                  |
| Phone: 615-0700 Fax: 615-0703                                                                                                                                                                                           |                  |
| Address: 4115 MEDICAL DR. #200                                                                                                                                                                                          |                  |
| City: San Antonio State: Zip code: 787                                                                                                                                                                                  | 29               |
| Engineer/Surveyor: SIA ENGINEERING                                                                                                                                                                                      |                  |
| Address: 438 MAPLE WOOD                                                                                                                                                                                                 |                  |
| City: SAN ANTONIO State: Zip code: 787                                                                                                                                                                                  | 16               |
| (b) Name of Project: Pleasanton Acres                                                                                                                                                                                   |                  |
| (c) (k) Site location or address of Project and Legal description:                                                                                                                                                      |                  |
| 17225 Pleasanton Road - 3.5 acres out of C.B. 4210, Bexar Co                                                                                                                                                            | <del>unty,</del> |

Texas, out of the Dionicio Martinez Leaque Grant, Survey No. 7, Abstract 9, being out of a called 4 acres tract Recorded in

Volume 7048, Page 1038, Real Property Records of Bexar County, Texas.

| 4 a. What, if any, construction or related actions have taken place on the property since that date?  Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  PERMIT  Type of Permit:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <del></del>         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of buildings), specific use(s) of those buildings, etc.)  Please be aware that the city must understand exactly what this Project is expected to accomplism order to evaluate this application.  (d) Total land use, in square feet 152,460  (e) Total area of impervious surface, in square feet TBD  (f) Number of residential dwellings units, by type; (1) Multi-family Lot (118,875 s)  (g) Type and amount of non-residential square footage; Commercial Lot (34,585 s.f. th) Phases of the development, (If Applicable); N/A  4. What is the date the applicant claims rights vested for this Project? May 11, 2204  (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;  In addition to the required processing as set forth above, an Application for Consent Agreement—Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development; a plan for the provision of public facilities and services to the proposed development; a plan for the provision of proceed; and the conditions under which the proposed development will be authorized to proceed; and the conditions under which the proposed development will be authorized to proceed; and the conditions under which the proposed development will be authorized to proceed; and the conditions under which the proposed development will be authorized to proceed; and the conditions under which the proposed development will be authorized to proceed; and the conditions under which the proposed development will be authorized to proceed; and the conditions under which the proposed development will be authorized to proceed; and the conditions under which th |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | -                   |
| 3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)   Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.  (d) Total land use, in square feet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Council District ETJ _XOver Edward's Aquifer Recharge? ( ) ves                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ,<br>( ) no         |
| (e) Total area of impervious surface, in square feet TBD  (f) Number of residential dwellings units, by type; (1) Multi-family Lot (118,875 S)  (g) Type and amount of non-residential square footage; Commercial Lot (34,585 S.F.  (h) Phases of the development, (If Applicable); N/A  4. What is the date the applicant claims rights vested for this Project? May 11, 2004 4 Fig. (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for rights or equitable estoppel is based;  In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."  4 a. What, if any, construction or related actions have taken place on the property since that date? Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  • PERMIT  Type of Permit:  Date of Application:  Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 3. What is the specific Project and the expected use(s) to be created by this Project (to development, number of buildings, type of building(s), specific use(s) of those build Please be aware that the city must understand exactly what this Project is                                                                                                                                                                                                                                                                                                                                                                                                                                  | ype of              |
| (f) Number of residential dwellings units, by type; (1) Multi-family Lot (118,875 S (g) Type and amount of non-residential square footage; Commercial Lot (34,585 S.F. (h) Phases of the development, (If Applicable); N/A  4. What is the date the applicant claims rights vested for this Project? May 11, 2004 (C) (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for rights or equitable estoppel is based;  In addition to the required processing as set forth above, an Application for Consent Agreement—Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."  4 a. What, if any, construction or related actions have taken place on the property since that date? Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  • PERMIT  Type of Permit:  Date of Application:  Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | (d) Total land use, in square feet 152,460                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                     |
| (f) Number of residential dwellings units, by type; (1) Multi-family Lot (118,875 S (g) Type and amount of non-residential square footage; Commercial Lot (34,585 S.F. (h) Phases of the development, (If Applicable); N/A  4. What is the date the applicant claims rights vested for this Project? May 11, 2004 (C) (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for rights or equitable estoppel is based;  In addition to the required processing as set forth above, an Application for Consent Agreement—Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."  4 a. What, if any, construction or related actions have taken place on the property since that date? Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  • PERMIT  Type of Permit:  Date of Application:  Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | (e) Total area of impervious surface, in square feet TBD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                     |
| (g) Type and amount of non-residential square footage; Commercial Lot (34,585 s.f.  (h) Phases of the development, (If Applicable); N/A  4. What is the date the applicant claims rights vested for this Project? May 11, 2204 for correspondence, letters, or other documents or materials upon which the Applicant's claim for vestigation or equitable estoppel is based;  In addition to the required processing as set forth above, an Application for Consent Agreement's Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."  4 a. What, if any, construction or related actions have taken place on the property since that date?  Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  PERMIT  Type of Permit:  Date of Application:  Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 8,875 S.            |
| (h) Phases of the development, (If Applicable); N/A  4. What is the date the applicant claims rights vested for this Project? May 11, 2004 4 (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;  In addition to the required processing as set forth above, an Application for Consent Agreement. Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."  4 a. What, if any, construction or related actions have taken place on the property since that date? Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  PERMIT  Type of Permit:  Date of Application:  Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                     |
| 4. What is the date the applicant claims rights vested for this Project? May 11, 2004 4 (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim fee vested rights or equitable estoppel is based;  In addition to the required processing as set forth above, an Application for Consent Agreement. Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."  4 a. What, if any, construction or related actions have taken place on the property since that date?  Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  PERMIT  Type of Permit:  Date of Application:  Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                     |
| Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  • PERMIT  Type of Permit: Date of Application:  Permit Number: Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | rights or equitable estoppel is based;  In addition to the required processing as set forth above, an Application for Consent Agreeme Approval shall include, but shall not be limited to the following: a timing and phasing plan for proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized; and the conditions under which approvals or permits will lapse or may be revoked. A shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the with decision making authority for the permit application." | nt control official |
| Engineering design in progress.  5. By what means does the applicant claim rights vested for this Project? Please specify all that may be applicable.  • PERMIT  Type of Permit: Date of Application:  Permit Number: Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 4 a. What, if any, construction or related actions have taken place on the property since                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | that date?          |
| 5. By what means does the applicant claim rights vested for this Project? Please specify all that nay be applicable.  PERMIT  Type of Permit: Date of Application:  Permit Number: Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Engineering design in progress.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                     |
| Permit Number:  Date issued:  Project? Please specify all that  Date of Application:  Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                     |
| Date issued.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 5. By what means does the applicant claim rights vested for this Project? Please specify a nay be applicable.  PERMIT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | ull that            |
| Date issued.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Type of Permit: Date of Application:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                     |
| xpiration Date: Acreage:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Date issued:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |
| Livingo.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Expiration Date: Acreage:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |

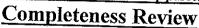
| ize:acres                                            |
|------------------------------------------------------|
| ize:acres                                            |
|                                                      |
|                                                      |
|                                                      |
|                                                      |
|                                                      |
| Acreage: 325 90                                      |
| Acreage: → 무슨 기술 |
| 2006 <b>5</b> 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7  |
| . い デジョ                                              |
| NA RAN                                               |
| 7.4                                                  |
| A =                                                  |
| Vol./PgApproval                                      |
| expire).                                             |
| document, is a crime<br>clony by up to two years     |
| s true and correct and  Date: 8-30-09                |
| on this 20th                                         |
| nd seal of office.                                   |
|                                                      |



## City of San Antonio

Development Services Department

## Vested Rights Permit Application





Note: All Applications must comply with the Unified Development Code (UDC), Section 35-B124 Vested Rights Determination for the City of San Antonio.

Required Items: Section 35-B124, Vested Rights' Determination

An Application for a Vested Rights Determination shall be made by the Applicant on a form established for such purpose and provided by the City and shall contain at least the following information:

- 1. Appropriate filing fee.
- 2. Section 35-B124
- (a) Name and address of Applicant;
- (b) Project description and name of subdivision or development, if applicable;
- (c) Location of development;
- (d) Total land area, in square feet:
- (e) Total area of impervious surface, in square feet;
- (f) Number of residential dwelling units, by type;
- (g) Type and amount of non-residential square footage;
- (h) Phases of the development, if applicable;
- (i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based:
- (j) A Sworn Statement, in a form prescribed by the City, and signed by the Applicant; and
- (k) A legal description of the Property

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following:

- a timing and phasing plan for the proposed development;
- a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed;

and the conditions under which approvals or permits will lapse or may be revoked.

A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

**▼** Accepted ☐ Rejected Completeness Review By:

#### City of San Antonio use

|            | Assigned by city staff          | Date: <u>9/26/04</u> |
|------------|---------------------------------|----------------------|
|            | <b>Approved</b>                 | <b>□</b> Disapproved |
| Review By: | Development Services Department | Date:                |

Permit File: # 04-08-172

Comments: Recommend that vested rights be approved effective July 30, 2004 for commercial uses (approximately 118,875 square feet) and multi-family uses (approximately 34,585 square feet) on the approximately 3.5 acres depicted in the application, provided that a specific project is identified. The application does not identify a project other than by square footage on the tract and indicate that engineering design is in progress. At such time as engineering design is completed, the project may be granted vested rights.

Vested Rights are only approved for lawful uses at the time of vesting. If the uses depicted on the plat are not permitted under section 43.002 of the Texas Local Government Code or other provisions of law, vested rights for the project depicted on the plat are not approved.

This is NOT approval of non-conforming rights nor any rights to a continuation of use under Section 43.002 of the Texas Local Government Code.



#### City of San Antonio

# Vested Rights Permit APPLICATION

Permit File: #VRP 04-08-172 Received: September 8, 2004

#### RECOMMENDATION OF THE CITY ATTORNEY'S OFFICE

#### CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

Not Subject To Disclosure Under Any Open Records or Public Disclosure Law

The City Attorney's Office recommends the Development Services Department decide this application in the following manner:

#### X Approval o Disapproval o Return to Applicant

Again, this is the recommendation of the City Attorney's Office. It is not and shall not be taken as nor substituted for the decision of the Director of the Development Services Department.

Reviewed B

Norbert J. Flant Assistant City Attorney Date: September 27, 2004

Comments: Recommend that vested rights be approved effective July 30, 2004 for commercial uses (approximately 118,875 square feet) and multi-family uses (approximately 34,585 square feet) on the approximately 3.5 acres depicted in the application, provided that a specific project is identified. The application does not identify a project other than by square footage on the tract and indicates that engineering design is in progress. At such time as engineering design is completed, the project may be granted vested rights.

Vested rights are only approved for lawful uses at the time of vesting. If the uses depicted on the plat are not permitted under Section 43.002 of the Texas Local Government Code or other provisions of law, vested rights foro the project depicted on the plat are not approved.

This is NOT approval of non-conforming rights nor any rights to a continuation of use under Section 43.002 of the Texas Local Government Code.



· ....